

**Date: June 19, 2009**

**Manual** - Volume VII, Section IV, Adult Services/ Adult Protective Services Manual

**Transmittal # -222**

The following acronyms are used in this transmittal:

AS-Adult Services

APS-Adult Protective Services

The purpose of this transmittal is to provide revised guidance about the Adult Services Program Manual. Unless otherwise stated, the provisions included in this transmittal are effective July 1, 2009.

The Manual incorporates changes resulting from legislation that takes effect on July 1, 2009.

This transmittal and manual are available on SPARK at  
<http://www.localagency.dss.state.va.us/divisions/dfs/as/manual.cgi>.

Significant changes to the manual are as follows:

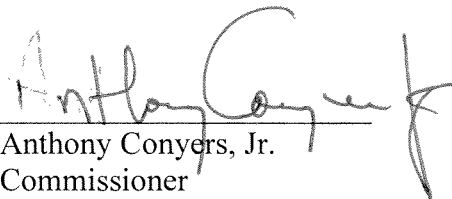
<b>Chapter A, "Introduction to Adult Services"</b>	
<b>Section, page number</b>	<b>Significant Changes</b>
Section 1.5, page 1	Adds a religious treatment exemption to the definition of "Adult Neglect" as a result of the enactment of Senate Bill 1028.
Section 12, page 7	Refers AS/APS workers to new Chapter F, "CONFIDENTIALITY."
Section 13, page 7	Clarifies that AS/APS workers are required to use all of the ASAPS screens per Broadcast #5682.
Section 14.4, page 8	Provides clarification on § 63.2-1602, of the Code of Virginia. Renumbers list of Code cites.
Section 14.5, page 9	Adds Code of Virginia, § 63.2-1602.1. "Appeal to Commissioner regarding home-based and adult foster care services."
Section 15, page 10	Adds 22 VAC 40-910-10, "General Provisions for Maintaining and Disclosing Confidential Information of Public Assistance, Child Support and Social Services Record."
Section 16, page 11	Removes Home Office and state staff information.
Appendix A, page 12	Refers to ASAPS Robo Help V7, the new name for "ASAPS User Manual." Provides SPARK link for ASAPS Robo Help V7.
Appendix B, page 14	Adds new appendix: "Adult Services/ Adult Protective Services Program Staff" with current and future address of the Home Office.

Appendix C, page 15	Moves Adult Services Area Assignments formerly in Appendix B to Appendix C
<b>Chapter B, “Adult Protective Services”</b>	
<b>Section, page number</b>	<b>Significant Changes</b>
Entire chapter	Changes the name of the “Department of Mental Health, Mental Retardation & Substance Abuse Services” and/or “DMHMRSAS” to the “Department of Behavioral Health and Developmental Services” and/or “DBHDS.” This change is the result of the enactment of Senate Bill 1117. Changes the name of the “ASAPS User Manual” to “ASAPS-Robo Help V7.”
Section 4.36, page 7	Removes definition of “Marital Sexual Assault” because § 18.2-67.2:1 of the Code of Virginia was repealed. Re-numbers remaining definitions.
Section 4.36, page 7	Adds a religious nonmedical treatment exemption to the definition of “Adult Neglect” as a result of the enactment of Senate Bill 1028.
Section 5.3.1, page 11	Adds an exemption to the mandatory reporting requirements of Emergency Medical Services Personnel as the result of the enactment of Senate Bill 898. Adds medication aide to Board of Nursing and adds ALF administrator to Board of Long-Term Care Administrators.
Section 5.5, page 22	Refers AS/APS workers to new Chapter F, “CONFIDENTIALITY.”
Section 13.8, page 35	Adds the new language in § 63.2-1605 E of the Code of Virginia to “Taking and Using Photographs, Video or Audio Recordings or Appropriate Medical Imaging of an Adult” as a result of House Bill 2328.
Section 21.8, page 61	Revises “Procedure in Absence of an Advance Directive (Code of Virginia, § 54.1-2986)” as the result of the enactment of House Bill 2396.
Section 21.9, page 62	Adds new section, “Admission of Incapacitated Persons to a Mental Health Facility Pursuant to Advance Directives or by Guardians” as the result of the enactment of House Bill 2396 and re-numbers rest of Section 21.
Section 28.7, page 77	Encourages APS workers to report the results of all APS investigations involving institutional or home health care settings to the Office of the Attorney General, Medicaid Fraud Control Unit.
Section 29, page 78	Refers AS/APS workers to new Chapter F, “CONFIDENTIALITY.”
Section 30.3, page 81	Modifies handling of DBHDS Incident Reports.
Appendix G, #6, page 106	Indicates that the first person considered as a guardian is the adult’s spouse if able and willing. This change is

	the result of the enactment of House Bill 1657.
Appendix I, page 122	Adds religious nonmedical treatment exemption to the definition of “Adult Neglect” as a result of the enactment of Senate Bill 1028.
Appendix N, page 132	Updates contact information for State agencies and programs.
Appendix X, page 162	Includes new language regarding the taking of photographs, video recordings, or appropriate medical imaging of an adult during an APS investigation (§ 63.2-1605 E) as a result of House Bill 2328. Adds change in the reporting requirements of Emergency Medical Services Personnel (§ 63.2-1606) as a result of Senate Bill 898.
Appendix Z, page 171	Adds APS Investigation Photography Guidelines as a result of House Bill 2328. References Photography Consent Form and provides the SPARK link for the form.
<b>Chapter C, “Adult Services Case Management”</b>	
<b>Section, page number</b>	<b>Significant Changes</b>
Entire chapter	Changes the name of the “ASAPS User Manual” to “ASAPS-Robo Help V7.”
Section 3.2.11, page 5	Adds section clarifying that the UAI is not required for case type “Guardian Report” when the annual report review is the only service needed.
Section 4.4, page 12	For Purchase of Services information, changes the chapter reference to the “Local Finance Guidelines Manual, Section 5.20 –Purchase of Services” and provides the SPARK link for this manual.
<b>Chapter D, “Long Term Care Services”</b>	
<b>Section, page number</b>	<b>Significant Changes</b>
Entire chapter	Changes the name of the “Department of Mental Health, Mental Retardation & Substance Abuse Services” and/or “DMHMRSAS” to the “Department of Behavioral Health and Developmental Services” and/or “DBHDS.” This change is the result of the enactment of Senate Bill 1117. Changes the name of the “ASAPS User Manual” to “ASAPS-Robo Help V7.”
Appendix A, page 25	On Adult Foster Care Agreement, changes the provider notification time frame for discharge of an individual in Adult Foster Care to 30 days as required by 22VAC40-771-150.
<b>Chapter E, “Adult Services Providers”</b>	
<b>Section, page number</b>	<b>Significant Changes</b>
Section 2.8, page 1	Adds a religious nonmedical treatment exemption to the definition of “Adult Neglect” as a result of the enactment of Senate Bill 1028.

Section 30.1, #4, page 27	Establishes a 10 day time frame for a provider to request review of a local department's decision by the Regional Adult Services Specialist.
<b>Chapter F, "Confidentiality"</b>	
Adds new Chapter F covering Confidentiality requirements for all AS/APS cases.	

Questions about this transmittal should be directed to your AS/APS regional consultant.

  
 Anthony Conyers, Jr.  
 Commissioner

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